

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA

vs.

MICHAEL LYNN KIRK (13)

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§

Case No. 4:03cr84
(Judge Schell)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order and the parties' waiver of right to file objections, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore,

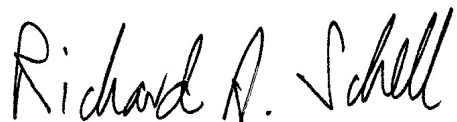
ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

It is further

ORDERED that Defendant's supervised release is hereby **REVOKED**. It is further

ORDERED that Defendant is sentenced to a term of imprisonment of eleven (11) months with no supervised release to follow. The Court recommends that Defendant be housed in the Bureau of Prisons Seagoville Unit.

SIGNED this the 8th day of November, 2009.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE